Vietnam Page 1 of 20



Vietnam

Country Reports on Human Rights Practices - 2000 Released by the Bureau of Democracy, Human Rights, and Labor February 23, 2001

The Socialist Republic of Vietnam is a one-party state, ruled and controlled by the Vietnamese Communist Party (CPV). The CPV's constitutionally mandated leading role and the occupancy of all senior government positions by party members ensure the primacy of party Politburo guidelines and enable the Party to set the broad parameters of national policy. In recent years, the party has reduced gradually its formal involvement in government operations and allowed the Government to exercise significant discretion in implementing policy. The National Assembly remains subject to party direction; however, the Government made progress in strengthening the capacity of the 450-member National Assembly and in reforming the bureaucracy. The National Assembly, chosen in elections in which most candidates are approved by the Party (only about 85 percent of delegates are party members) played an increasingly independent role as a forum for local and provincial concerns and as a critic of local and national corruption and inefficiency. The Assembly was more active in revising legislation, criticizing officials' performance, screening ministerial and other senior candidate appointments, and dismissing senior officers. The judiciary remains subservient to the CPV and to external pressure and influence by the Government.

The military services, including the border defense force, are responsible for defense against external threats. The military forces are assuming a less prominent role as the ultimate guarantor of internal security, which is primarily the responsibility of the Ministry of Public Security (MPS). However, in some remote areas, the military forces are the primary government agency, providing infrastructure and all public safety functions, including maintaining public order in the event of civil unrest. The Government continued to restrict significantly civil liberties on grounds of national security and societal stability. The MPS controls the police, a special national security investigative agency, and other units that maintain internal security. It enforces laws and regulations that significantly restrict individual liberties and violate other human rights. It also maintains a system of household registration and block wardens to monitor the population, concentrating on those suspected of engaging, or being likely to engage in, unauthorized political activities. However, this system has become less obvious and pervasive in its intrusion into most citizens' Daily lives. Members of the public security forces committed human rights abuses.

Vietnam is a very poor country of 79 million persons undergoing transition from a centrally planned to a market-oriented economy. Estimated annual gross domestic product (GDP) per capita is \$375, continuing an improving trend through the 1990's. While the Asian financial crisis caused a significant slowdown, with trade and foreign investment declining markedly, economic growth officially was estimated at 6.7 percent in 2000. Agriculture, primarily wet rice cultivation, employs 70 percent of the labor force, and accounts for 24 percent of total output. Industry and construction contribute 34 percent, while services account for 42 percent. Disbursed official development assistance in 1999 was \$970 million, roughly 4 percent of GDP. Particularly in Ho Chi Minh City and Hanoi, economic reforms have raised the standard of living and reduced party and governmental control over, and intrusion into, citizens' daily lives. Reforms have created a popular expectation in urban areas of continued social, legal, educational, and physical improvements. For many large rural populations close to larger cities, this is also true. However, many citizens in isolated rural areas, especially members of ethnic minorities in the northern uplands, central highlands, and the north central coastal regions continue to live in extreme poverty. Gains from agricultural reform in recent years have improved the lives of many farmers, but the rural poverty level is approximately 30 percent.

The Government's human rights record remained poor; although there was some measurable improvement in a few areas, serious problems remain. The Government continued to repress basic political and some religious freedoms and numerous abuses by the Government continue. Although the CPV continued its efforts to strengthen the mechanism for citizens to petition the Government with complaints, the Government continued to deny citizens the right to change their government. Prison conditions remain harsh, particularly in

Vietnam Page 2 of 20

some isolated provinces. Police sometimes beat suspects during arrest and arbitrarily arrested and detained citizens, including detention for peaceful expression of political and religious views. The judiciary is not independent, and the Government denied some citizens the right to fair and expeditious trials. The Government continued to hold a number of political prisoners. Several political and religious prisoners were freed in two general amnesties during the year--journalist and poet Nguyen Ngoc Tan, Čatholic priest Mai Huu Nghi, and Hmong Protestant minister Vu Gian Thao in April and Cao Daiist Le Kim Bien and Protestant house church leader Nguyen Thi Thuy in September. The Government restricts citizens' privacy rights, although the trend toward reduced government interference in the daily lives of most citizens continued. The Government significantly restricts freedom of speech, the press, assembly, and association. The Government continued its longstanding policy of not tolerating most types of public dissent; however, it made exceptions in some instances. For example, a number of persons continued to circulate letters that were highly critical of senior leaders and called for political reform; these authors were subjected to close surveillance by public security forces. The Government allowed citizens somewhat greater freedom of expression and assembly to express grievances, including by delegates in the National Assembly, citizens in local forums with delegates, and small groups of protesters outside government offices. In Ho Chi Minh City, Hanoi, and other cities, several "sit-in" demonstrations, some involving dozens of protesters camped in front of government buildings for weeks at a time, were permitted. In Ho Chi Minh City, the Government stopped such demonstrations late in the year. The Government prohibits independent political, labor, and social organizations; such organizations exist only under government control. The Government restricts freedom of religion and significantly restricts the operation of religious organizations other than those entities approved by the State. Dissident groups of Buddhists, Hoa Hao, and Protestants, in particular, faced harassment by authorities. In June a festival gathering of up to 300,000 Hoa Hao in An Giang province took place with official permission, and in August an estimated 100,000 Roman Catholics attended the annual La Vang pilgrimage. The Government imposes some limits on freedom of movement. The Government does not permit local private human rights organizations to form or operate. Violence and societal discrimination against women remained problems. Child prostitution is a problem. Government and societal discrimination against some ethnic minorities is a continuing problem. The Government restricts worker rights, such as freedom of association, although the Government is cooperating with the International Labor Organization (ILO) and international donors to improve implementation of provisions of the Labor Law. Child labor is a problem. There were reports that children worked in exploitative situations and that prisons required inmates to work for little or no pay. Trafficking in women and children for the purpose of prostitution within the country and abroad continued to be serious problems, and there were reports of the trafficking of women to mainland China and Taiwan for arranged and forced marriages. The Government made efforts to combat these problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no known politically motivated killings. Little information was available on the extent of deaths in police custody or on official investigations into such incidents.

There were no reports of deaths of inmates due to prison conditions during the year.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits physical abuse; however, police beat persons, including suspects during arrests, and also beat street children in their attempts to get them off the streets. There were no known reports of torture of detainees. Little information is available on the extent of police brutality during interrogations.

Prison conditions are harsh. Conditions generally did not threaten the lives of prisoners. There were no reported differences in male and female death rates in prison. Overcrowding, insufficient diet, and poor sanitation remained serious problems. Prison guards sometimes treat prisoners badly and frequently beat them. Solitary confinement is a problem. Conditions in pretrial detention reportedly were particularly harsh, and there were credible reports that authorities sometimes denied inmates access to sunlight, exercise, and reading material. The pretrial detention system provides few amenities. Prisoners who await trial and remain "under investigation" sometimes experience harsher conditions than those convicted and sentenced. After trial, a prisoner is sent to a different location, and conditions often improve in instances in which a prisoner has

Vietnam Page 3 of 20

money.

Most prisoners had access to basic health care and, for those with money, to supplemental food and medicine. However, some political and other prisoners were denied visitation rights, and there were reports that some prisons required inmates to work for little or no pay (see Section 6.c.). Prisoners sentenced to hard labor complained that their diet and medical care were insufficient to sustain health, especially in remote, disease-ridden areas. There were credible reports that three political and religious prisoners with serious medical conditions are held under harsh conditions in remote prisons, such as Xuan Loc prison z30a in an isolated part of Dong Nai province, with limited medical care.

The Government did not permit independent monitoring of its prison and detention system.

d. Arbitrary Arrest, Detention, or Exile

The Government continued to arrest and detain citizens arbitrarily, including arrest and detention for the peaceful expression of their political and religious views. The Criminal Procedure Code provides for various rights of detainees, including time limits on pretrial detention and the right of the accused to have a lawyer present during interrogation; however, in practice the authorities often ignored these legal safeguards. Moreover, a directive on administrative detention gives security officials broad powers if they believe that a suspect is a threat to "national security."

A revised Criminal Code came into effect on July 1 and with it a number of amendments to the Criminal Procedure Code to conform to the new code. The Criminal Procedure Code was amended to shorten the time for investigations and reinvestigation. It also places more strict limits (12 months) on the time allowed for the procuracy to end its investigation, and allows less time for the judge's panel to rule on a case. By shortening investigation and trial time, the procedure code also limits the time in which officials can interfere in the investigation process. Prior to formal charge, a detainee has a statutory right to contact with an attorney or to notify family members. However, in most cases, police inform family of the person's whereabouts.

The Government continued to utilize its 1997 decree on "administrative detention," which gives authorities extremely broad powers to place persons under surveillance and to monitor citizens closely. Government officials refer to this decree as the "administrative probation" decree. The decree allows the MPS to detain a person without trial. The regulations define administrative detention as an administrative penalty imposed on persons over the age of 18 who break the law and violate national security, as determined by the definition of crimes in the Criminal Code, but whose offenses are not yet at the level that warrants "criminal responsibility." The detention can last from 6 months to 2 years; persons under administrative detention must live and work in designated places, and remain subject to the "management and education of the local administration and people." The MPS is the lead agency in implementing the decree and uses these measures mainly against suspected political dissidents.

To put someone on probation, the chairperson of a district people's committee first collects dossiers on the persons recommended for detention, then submits the dossiers to the chairperson of the Provincial People's Committee for a final decision. The district police, people's committees, wards, and townships all help collect information for the dossier. The dossier includes a person's curriculum vitae, his or her past criminal record, as well as any comments from the people's committee, the Fatherland Front, and the district police. The chairperson of the Provincial People's Committee uses the information to make a final decision on the detention. The Government claims that the decree's restriction on movement does not constitute a detention, but merely puts a person on probation; however, by limiting a person's movement to his or her residence, and allowing travel outside that area only with government approval, the measure effectively constitutes detention without the benefit of trial.

The Supreme People's Procuracy approves the issuance of arrest warrants, but law enforcement officials appear able to arrest and incarcerate persons without presenting arrest warrants. Once arrested, detainees often are held for periods of up to 1 year without formal charges or trial. In general time spent in pretrial detention counts toward time served upon conviction and sentencing.

The MPS prohibits contact between a detainee and his lawyer as long as the procurator's office is investigating the case, which may be up to 1 year. In April police in Dalat confiscated the computer and writing materials belonging to dissident writer Ha Sy Phu (Nguyen Xuan Tu). Ha was required to remain in his home during investigation, although he was not charged with any crime by year's end. He remained isolated from outside contact throughout this period.

Persons arrested for the peaceful expression of views opposed to official policy were subject to charge under

Vietnam Page 4 of 20

any one of several provisions in the Criminal Code that outlaw acts against the state.

At year's end, 3 Cao Dai believers remain imprisoned. In March An Giang province police detained eight Hoa Hao believers and blocked roadways and waterways to forestall incidents in connection with the death anniversary of the group's founder (see Section 2.c.).

Prisoners who are "under investigation" sometimes experience harsher conditions than those who have been convicted and sentenced to prison terms (see Section 1.c.). No official statistics are available on the percentage of the prison population that consists of pretrial detainees or the average period of time that such detainees have been held.

It is difficult to determine the exact number of political detainees, in part because the Government usually does not publicize such arrests and because the Government does not consider these persons to be detained for political reasons.

The Government continued to isolate certain political and religious dissidents by placing restrictions on the movements of some dissidents and by pressuring the supporters and family members of others. For the past 6 years, Thich Huyen Quang, the Supreme Patriarch of the banned Unified Buddhist Church of Vietnam (UBCV), has been at a pagoda in Quang Ngai province under conditions resembling administrative detention. From 1981 until 1994, he was held at another pagoda in that province. In March 1999 he was visited by senior UBCV leader Thich Quang Do for the first time in 18 years, but after 3 days of meetings both were held for questioning by police, and Thich Quang Do was escorted by police to his pagoda in Ho Chi Minh City. Thich Huyen Quang has confirmed that he must request permission before leaving the pagoda and is not allowed to lead prayers or participate in worship activities as a monk. He is able to receive visits from sympathetic monks and lay person supporters relatively frequently. After meeting with him, visitors often are questioned by police. Thich Huyen Quang has called for the Government to recognize the UBCV. Government officials reportedly suggested that he move to Hanoi, where more modern medical facilities are available, but he has refused (see Section 2.c.).

Dissident Nguyen Dan Que and his family members in Ho Chi Minh City continued to be questioned by police. Their telephone service continued to be suspended periodically, and the family's Internet account was cut off following the publication abroad of several of his writings critical of the Government.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for the independence of judges and jurors; however, in practice the Party controls the courts closely at all levels, selecting judges primarily for their political reliability. Constitutional safeguards are significantly lacking. Credible reports indicate that party officials, including top leaders, instruct courts how to rule on politically important cases. CPV and government officials may exert influence over court decisions by pressuring both the lay assessors and the judges who sit on a panel together to decide cases. The CPV has strong influence over high-profile cases, or in cases where a person is charged with challenging or harming the CPV or the State. The National Assembly votes for judicial candidates that are presented by the President for Supreme People's Court (SPC) president and Supreme People's Procurator. The National Assembly also controls the judiciary's budget, including judges' salaries, while the executive branch pays judges' salaries at the local level. By contrast the procuracy, also a separate branch that reports to the National Assembly, has a unified line of command and controls its own budget. The President appoints all other judges.

The system of appointing judges and lay assessors also reflects the lack of judicial independence. Court panels at all levels include judges and lay assessors. However, while lay assessors help decide cases, they have no legal training. District and provincial people's councils appoint the lay assessors at the lower levels. The standing committee of the National Assembly appoints and discharges the SPC lay assessors. The Fatherland Front must approve candidates for SPC lay assessors. The President appoints the District People's Council and Provincial People's Council judges to 5-year terms. The President also appoints SPC judges at the suggestion of the central selection council. The CPV's influence over the courts is amplified both because the people's councils appoint the lay assessors, and because the judges serve limited terms and are subject to review.

The judiciary consists of the Supreme People's Court, the local people's courts, military tribunals, and other tribunals established by law. Each district throughout the country has a district people's court, which serves as the court of first instance for most domestic, civil, and criminal cases. Each province has a Provincial People's

Vietnam Page 5 of 20

Court, which serves as the appellate forum for district court cases, as well as courts of first instance for other cases. The SPC is the highest court of appeal and review. The Ministry of Justice administers most district and provincial courts, and the National Assembly administers the SPC. The judiciary also includes military tribunals, economic courts, labor courts, and administrative courts that resolve disputes in those specialized fields. Administrative courts deal with complaints by citizens about official abuse and corruption. The economic and administrative courts have addressed few cases since their creation in 1994 and 1995, respectively. Local mass organizations, such as those under the Fatherland Front, are empowered to deal with minor breaches of law or disputes. In addition the CPV and Government have set up special committees to help resolve local disputes.

The Supreme People's Procuracy has unchecked power to bring charges against the accused and serves as prosecutor during trials. A judging council, made up of a judge and one or more people's jurors (lay judges), determines guilt or innocence and also passes sentence on the convicted. The relevant people's council appoints people's jurors, who are required to have high moral standards but need not have legal training. The legal institutional framework and legal culture, which favor the procuracy over the judiciary and preserve a presumption of guilt in criminal cases, constitute a major obstacle to free and fair trials. Although the Constitution asserts that citizens are innocent until proven guilty, in practice this principle often is ignored. A Western legal expert who analyzed the court system during the year found that more than 95 percent of the persons who are charged with a crime are convicted.

Many judges and other court officials lacked adequate legal training, and the Government conducted training programs to address this problem. A number of foreign governments and the United Nations Development Program provided assistance to the Government to strengthen rule of law and develop a more effective judiciary. However, the lack of openness in the judicial process and the continuing lack of independence of the judiciary undermined the Government's efforts to develop a fair, effective judicial system.

The July Criminal Code amendments define crime more precisely than the 1999 code. The new code provides two or three levels of punishment for each crime, depending on the crime's seriousness and circumstances. The new code provides punishment brackets for a larger percentage of the crimes; less than 10 percent have no punishment bracket at all. The changes were intended to discourage abuse by law enforcement officials, allow courts to render verdicts and punishments more appropriate to the particular offense, hinder arbitrary sentencing by judicial panels, and allow crime to be punished more uniformly.

There is a shortage of trained lawyers and judges and no independent bar association. At the Supreme Court level, there is a 10 to 20 percent shortage of qualified judges; at the provincial level, the shortage ranges from 30 to 40 percent, according to a U.N. official. Low salaries hinder development of a trained judiciary. The few judges who have formal legal training often have studied abroad in countries with Socialist legal traditions and are slow to change. Young educated judges have little influence within the system.

Although the Constitution provides for legal counsel for persons accused of criminal offenses, the scarcity of lawyers makes this provision impossible to enforce. With few qualified attorneys, the procurator often handles both the prosecution and the defense. With so few lawyers and so many defendants, legal counsel frequently is of little help to the defendant. Consistent with its Marxist-Leninist political system, the Government requires that the Vietnamese Bar Association be a subordinate part of the Vietnam Fatherland Front (VFF), the mass front organization controlled by the Communist Party. At the provincial level, the Bar Association is subordinate to representatives of the central Government, the VFF, the provincial people's council, and people's committee.

Trials generally are open to the public; however, judicial authorities sometimes closed trials or strictly limited attendance in sensitive cases. Defendants have the right to be present at their trial and to have a lawyer. The defendant or the defense lawyer have the right to cross-examine witnesses. However, in political cases, there are credible reports that defendants are not allowed access to government evidence in advance of the trial, to cross-examine witnesses, or to challenge statements. Little information is available on the extent to which defendants and their lawyers have time to prepare for trials. Those convicted have the right to appeal.

The December 1999 conviction of Nguyen Thi Thuy, a Protestant house church leader in Phu Tho province sentenced to 1 year in prison for "interfering with an officer doing his duty," was upheld on appeal despite claims by her defense lawyer that she had been arrested for her religious activities. She was released in September in a national prisoner amnesty.

The Government continued to imprison persons for the peaceful expression of dissenting religious and political views. There are no reliable estimates of the number of political prisoners, in part because the Government usually does not publicize such arrests, and sometimes conducts closed trials and sentencing sessions. Amnesty International stated that there are more than 20 prisoners sentenced for political reasons. Other sources estimated that as of October there were up to 150 political prisoners. However, many of the names

Vietnam Page 6 of 20

included on these lists are difficult to verify. The number of confirmed political prisoners is much lower than the number publicized. For example, one prisoner released in April from Xuan Loc prison z30a in Dong Nai province circulated a list of 55 persons whom he described as political prisoners. While this report may be credible, there is not sufficient identification or information about these persons to confirm that they are in fact political prisoners. The Government claims that it does not hold any political and religious prisoners and that persons described as political prisoners were convicted of violating national security laws.

A total of more than 15,000 prisoners reportedly were granted amnesty during the year or released from their sentences early for good behavior. In April journalist and poet Nguyen Ngoc Tan was released. Most of those released were common criminals. Among those believed to be imprisoned at year's end for peaceful political activities are: Political activists Nguyen Dinh Huy and Pham Hong Tho, Truong Van Thuc, Nguyen Chau Lan, Tran Van Be Cao, Tran Nguyen Hon, and Le Van Mong.

No current information is available concerning imprisoned dissidents Nguyen Van Thuan and Le Duc Vaong who were arrested in 1998.

The Government does not allow access by humanitarian organizations to political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the right to privacy of home and correspondence; however, the Government restricts this right significantly. It operates a nationwide system of surveillance and control through household registration and block wardens who use informants to keep track of individuals' activities. The authorities continued to monitor citizens but with less vigor and thoroughness than in the past. The authorities largely focused on persons whom they regarded as having dissident views or views critical of the Government, or whom they suspected of involvement in unauthorized political or religious activities. Citizens formally are required to register with police when they leave home, remain in another location overnight, or when they change their residence (see Section 2.d.). However, these requirements rarely are enforced; many citizens move around the country to seek work or to visit family and friends without being monitored closely, and many families who sought employment moved to other locations without prior government permission. However, there were reports that some "spontaneous migrant" families have been unable to obtain household registration or residence permits in their new locations, causing them serious legal and administrative problems. In urban areas, most citizens were free to maintain contact and work with foreigners, but police questioned some individual citizens and families of citizens with extensive or close relations with foreigners. The Government also exerts control over citizens who work for foreign organizations by requiring that citizens be screened and hired through a government service bureau. However, many foreign organizations hire their own personnel and only "register" them with the service bureau.

The Government opened and censored targeted persons' mail, confiscated packages, and monitored telephone, electronic mail, and facsimile transmissions. However, this practice appears sporadic and is not applied consistently. Citizens' membership in mass organizations remained voluntary, but often is important for career advancement. Membership in the CPV remains an aid to advancement in the Government or in state companies and is vital for promotion to senior levels of the Government. At the same time, diversification of the economy has made membership in CPV-controlled mass organizations and the CPV less essential to financial and social advancement.

Groups of protesters in Ho Chi Minh City claimed that local officials compensated them inadequately for land that the Government seized for various public purposes. The protesters had come from several Mekong Delta provinces and from Ho Chi Minh City.

The Government continued to implement a family planning policy that urges all families to have no more than two children; this policy emphasizes exhortation rather than coercion. In principle the Government can deny promotions and salary increases to government employees with more than two children, and local regulations permit fines based on the cost of extra social services incurred by a larger family. These penalties rarely are enforced. There is anecdotal evidence that party members are more likely to be penalized than nonparty members.

Foreign language periodicals are widely available in cities. The Government occasionally censors articles about the country in periodicals that are available for sale.

The Government monitors e-mail, searching the text for sensitive key words, and regulates Internet content (see Section 2.a.).

Vietnam Page 7 of 20

By law access to satellite television was limited to top officials, foreigners, luxury hotels, and the press. The law was not enforced uniformly, and some persons in urban and rural areas have access via home satellite equipment. The Government generally did not limit access to international radio; however, it jammed Radio Free Asia.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government significantly restricts these freedoms, especially concerning political and religious subjects. Reporters and editors practice self-censorship concerning sensitive subjects. A new press law, passed by the National Assembly in May 1999, provides for monetary damages to be paid by journalists to individuals or organizations who are harmed by reporting, regardless of whether the reports are true or false. This law poses a threat to investigative reporting. For example, in September the Capital Youth newspaper in Hanoi was sued by the Haiphong Agricultural Materials and Transport Company for harming its prestige with a series of investigative articles about the company's operations. The case had not gone to trial by year's end. Several media continued to test the limits of government press restriction by publishing articles that criticized actions by party and government officials; however, the freedom to criticize the Communist Party and its highest leadership remains restricted.

Both the Constitution and the Criminal Code include broad national security and antidefamation provisions that the Government used to restrict such freedoms severely. The Party and Government tolerate public discussion and permit somewhat more criticism than in the past. In December 1999, the Government established a mechanism for citizens to petition the Government with complaints. Citizens could and did complain openly about inefficient government, administrative procedures, corruption, and economic policy. However, the Government imposed limits in these areas as well. Senior government and party leaders traveled to several provinces to try to resolve citizen complaints.

The Government requires journalists to obtain approval from the Ministry of Culture and Information before providing any information to foreign journalists.

Retired general and war hero Tran Do was expelled from the Communist Party in January 1999 after he refused to cease circulating writings critical of the party and the Government. Friends of Tran Do reported that they were able to visit him in his home, and police surveillance of him lessened by mid-year.

The Government continued to prohibit free speech that strayed outside narrow limits to question the role of the party, criticize individual government leaders, promote pluralism or multiparty democracy, or question the regime's policies on sensitive matters such as human rights. The few persons who dared to speak out on these matters in recent years, such as Nguyen Dan Que and Thich Quang do, were subjected to periodic questioning and close monitoring by security officials. There continued to be an ambiguous line between what constituted private speech about sensitive matters, which the authorities would tolerate, and public speech in those areas, which they would not. Several authors whose works attracted official censure in past years continued to be denied permission to publish, to speak publicly, or to travel abroad. Security forces continue to harass novelist Duong Thu Huong intermittently, and authorities would not allow her to travel abroad. However, Huong is allowed to meet with some foreigners and Vietnamese colleagues. Some persons who express dissident opinions on religious or political issues also are not allowed to travel abroad (see Section 2.d.).

The Party, the Government, and party-controlled mass organizations controlled all print and electronic media. The Government exercises oversight through the Ministry of Culture and Information, supplemented by pervasive party guidance and national security legislation sufficiently broad to ensure effective self-censorship in the domestic media. With apparent party approval, several newspapers published reports during the year on high-level government corruption and mismanagement as well as sometimes-heated debate on economic policy. The Government occasionally censors articles about the country in foreign periodicals that are sold in the country. The Government generally did not limit access to international radio, except to Radio Free Asia, which it jammed (see Section I.f.). In July thousands of explicit comic books imported from Korea were destroyed by customs officials.

Foreign journalists must be approved by the Foreign Ministry's Press Center and must be based in Hanoi. A visiting Western freelance journalist was detained and expelled in April after seeking to interview political dissident Nguyen Dan Que at his home in Ho Chi Minh City. The number of foreign staff allowed each foreign media organization is limited, and most Vietnamese staff who work for foreign media are provided by the Foreign Ministry. The Press Center monitors journalists' activities and decides on a case-by-case basis

Vietnam Page 8 of 20

whether to approve their interview, photograph, film, or travel requests, all of which must be submitted 5 days in advance. The Government censored television footage and sometimes delayed export of footage by several days, such as during coverage in April of the 25th anniversary of the end of war.

The Government allowed artists broader latitude than in past years in choosing the themes of their works, although artists are not allowed to exhibit works of art that censors regard as criticizing or ridiculing the Government or the Party. Many artists received permission to exhibit their works abroad, receiving exit permits to attend the exhibits and export permits to send their works out of the country.

The Government allows access to the Internet; however, it owns and controls the country's only Internet access provider, Vietnam Data Communications. Five Internet service providers compete for subscribers. The Government postal department reports that there are 82,000 Internet subscribers and an increasing number of cyber cafes in major cities. High prices for owning computers and Internet access limit home usage, and the Government keeps access fees high to discourage Internet use. However, in cyber cafes and universities, students and many other persons have wide access to the Internet, although much self-censorship keeps many customers away from sensitive sites of a political nature. The Government uses firewalls to block access to some sites operated by Vietnamese exile groups abroad. Vietnam Data Communications is authorized by the Government to monitor the sites that subscribers access. Police suspended telephone service and thus Internet access for Nguyen Dan Que in Ho Chi Minh City and Nguyen Thanh Giang in Hanoi after they circulated articles critical of the Government (see Section 1.d.), but they have continued to communicate with friends and supporters through cellular telephones.

The French nongovernmental organization (NGO) Reporters Sans Frontieres, which monitors freedom of speech and treatment of the press worldwide, placed the country on its list of 20 countries that it deemed "enemies of the Internet."

The Government permitted a more open flow of information within the country and into the country from abroad, including the university system. Foreign academic professionals temporarily working at universities can discuss nonpolitical issues widely and freely in the classroom. Government monitors regularly attended, without official notification, classes taught by foreigners and citizens. Academic publications usually reflected the views of the Party and the Government and exhibited greater freedom for differing views on nonpolitical subjects than for political ones.

b. Freedom of Peaceful Assembly and Association

The right of assembly is restricted in law and practice, and the Government restricts and monitors all forms of public protest. Persons who wish to gather in a group are required to apply for a permit, which local authorities can issue or deny arbitrarily. However, persons routinely gather in informal groups without government interference. During the year, there were a number of protests (from 10 to 25 persons) outside government and party office buildings and the National Assembly hall. These protests, which technically were illegal, usually focused on local land compensation grievances, and the authorities generally allowed them to run their course without interference. The protesters claimed, among other grievances, that local officials had compensated them inadequately for land seized by local governments for various purposes (see Section 1.f.). One group of 30 protesters demonstrated peacefully in public in Hanoi outside the home of a senior CPV official. From March until November in Ho Chi Minh City, there were demonstrations of up to 125 protesters. In general the Government does not permit demonstrations that could be seen as having a political purpose. The Government was more tolerant than in the past of occasional demonstrations by citizens about specific grievances against local officials and tolerated extended demonstrations in some cases. Several "sit-in" demonstrations in Ho Chi Minh City involved dozens of persons who remained on the sidewalks opposite government offices for weeks at a time. However, in mid-November, police removed these demonstrators and prohibited further demonstrations. On at least two occasions later in the year, police blocked attempts by protesters to reestablish themselves at that location. The Government allowed large gatherings of Roman Catholic and Hoa Hao religious believers for preapproved festivals (see Section 2.c.).

The Government restricts freedom of association. With a few exceptions, the Government prohibits the establishment of private, independent organizations, insisting that persons work within established, party-controlled organizations, often under the aegis of the Fatherland Front. Citizens are prohibited from establishing independent organizations such as political parties, labor unions, and religious or veterans' organizations. Such organizations exist only under government control.

c. Freedom of Religion

Both the Constitution and government decrees provide for freedom of worship; however, the Government continued to restrict significantly those organized activities of religious groups that it declared to be at variance

Vietnam Page 9 of 20

with state laws and policies. The Government generally allowed persons to practice individual worship in the religion of their choice, and participation in religious activities throughout the country continued to grow significantly. However, government regulations control religious hierarchies and organized religious activities, in part because the Communist Party fears that organized religion may weaken its authority and influence by serving as political, social, and spiritual alternatives to the authority of the central Government.

The Government requires religious groups to be registered and uses this process to control and monitor church organizations. Officially recognized religious organizations are able to operate openly, and they must consult with the Government about their religious operations, although not about their religious tenets of faith. In general religious organizations are confined to dealing specifically with spiritual and organizational matters. The Government holds conferences to discuss and publicize its religion decrees.

Religious organizations must obtain government permission to hold training seminars, conventions, and celebrations outside the regular religious calendar, to build or remodel places of worship, to engage in charitable activities or operate religious schools, and to train, ordain, promote, or transfer clergy. Many of these restrictive powers lie principally with provincial or city people's committees, and local treatment of religious persons varied widely. In some areas such as Ho Chi Minh City, local officials allowed religious persons wide latitude in practicing their faith, including allowing some educational and humanitarian activities. However, in other areas such as the northwest provinces, local officials allowed believers little discretion in the practice of their faith. In general religious groups faced difficulty in obtaining teaching materials, expanding training facilities, publishing religious materials, and expanding the clergy in training in response to the increased demand from congregations.

Buddhism is the dominant religious belief, and three-fourths of the population are at least nominally Buddhist.

The Government officially recognizes Buddhist, Roman Catholic, Protestant, Hoa Hao, and Muslim religious organizations. However, some Buddhists, Protestants, and Hoa Hao believers do not recognize or participate in the government-approved associations and thus are not considered legal by the authorities.

For example, the Government requires all Buddhist monks to work under a party-controlled umbrella organization, the Central Buddhist Church of Vietnam. The Government opposed efforts by the non-government-sanctioned Unified Buddhist Church of Vietnam (UBCV) to operate independently, and tension between the Government and the UBCV continued. Several prominent UBCV monks, including Thich Quang Do, were released in wide-ranging government amnesties in September and October 1998; however, the Government continued to harass members of the UBCV and prevent their conducting independent religious activities, particularly outside of their pagodas.

The Government continued to isolate certain political and religious dissidents by placing restrictions on the movements of some dissidents and by pressuring the supporters and family members of others. For the past 6 years, Thich Huyen Quang, the Supreme Patriarch of the UBCV, has been held at a pagoda in Quang Ngai province under conditions resembling administrative detention. From 1981 until 1994, he was held at another pagoda in that province. In 1999 he was visited by senior UBCV leader Thich Quang Do for the first time in 18 years, but after 3 days of meetings both were held for questioning by police, and Thich Quang Do was escorted by police to his pagoda in Ho Chi Minh City. Thich Huyen Quang has confirmed that he must request permission before leaving the pagoda and is not allowed to lead prayers or participate in worship activities as a monk. He is able to receive visits from sympathetic monks, sometimes several per week; UBCV monk Thich Khong Thanh visited in November 1999. After meeting with Thich Huyen Quang, visitors frequently are questioned by police. Thich Huyen Quang has called for the Government to recognize the UBCV. Local officials suggested that Thich Huyen Quang move to Hanoi where more modern medical facilities are available, but he refused. On July 5, the police and an official from the provincial committee for religion interrogated Quang concerning a letter that he wrote that criticized the Government and called on the Party and State to repent for their past mistakes. The letter was publicized on the Internet by the official information service of the UBCV based in France just before April 30, the 25th anniversary of national reunification.

Buddhist monks in Hue complained that petitions to local authorities for permission to repair or renovate pagodas go unanswered.

The local Catholic Church hierarchy remained frustrated by the Government's restrictions but has learned to accommodate itself to them for many years. A number of clergy reported a modest easing of government control over church activities in certain dioceses during the year. In some locales, local government officials allowed Catholic Church officials to participate in religious education and charitable activities. However, in many areas, officials strictly prohibited these activities. In recent years, the Government eased its efforts to control the Roman Catholic hierarchy by relaxing the requirements that all clergy belong to the government-controlled Catholic Patriotic Association. Few clergy actually belonged to this association.

Vietnam Page 10 of 20

The degree of government control of church activities varied greatly among localities. In some areas, especially in the south, churches and religious groups operated kindergartens and engaged in a variety of humanitarian projects. A priest, Pham Minh Tri, and a lay brother, Mai Huu Nghi, belonging to the Congregation of the Mother Co-redemptrix reportedly remain imprisoned.

The Government allowed many bishops and priests to travel freely within their dioceses and allowed greater, but still restricted, freedom for travel outside these areas, particularly in many ethnic areas. The Government discourages priests as well as Buddhist monks from entering Son La, Lai Chau, and some other border provinces. Upon return from international travel during the year, citizens, including clergy, officially were required to surrender their passports; this law is enforced unevenly. Some persons who express dissident opinions on religious or political issues are not allowed to travel abroad (see Section 2.d.). Seminaries throughout the country have approximately 500 students enrolled. The Government limits the Church to operating 6 major seminaries and to recruit new seminarians only every 2 years. All students must be approved by the Government, both upon entering the seminary and prior to their ordination as priests. The Church believes that the number of graduating students is insufficient to support the growing Catholic population.

The network of Tin Lanh (Good News) churches, originally founded by the Christian and Missionary Alliance early in the 20th century, generally operated with greater freedom than did the house churches. The roughly 300 Tin Lanh churches in the country are concentrated in the major cities, including Ho Chi Minh City, Danang, Hanoi, and lowland areas. Some 15 Tin Lanh churches in the northern provinces are the only officially recognized Protestant churches. At year's end, the Government and Protestant church leaders in the south were engaged in discussions that could lead to future official recognition for their churches.

There were credible reports that up to a dozen Hmong Protestants continued to be imprisoned in Lai Chau and other northwestern provinces for religious reasons.

More than half the country's Protestants belong to a large number of unregistered evangelical "house churches" that operate in members' homes or in rural villages, many of them in ethnic minority areas. Members of Protestant house churches, particularly in the northwestern provinces, continued to face severe restrictions on religious freedom. There were multiple reports that local police beat Protestants during detention or questioning in the central highlands and central coastal provinces. Credible reports from multiple sources stated that up to a dozen Hmong Protestants were imprisoned, primarily in Lai Chau province, for "teaching religion illegally" or "abusing the rights of a citizen to cause social unrest." These included Va Sinh Giay, Vang Sua Giang, Phang A Dong, Ly A Cho, and Ma Van Chinh. A number of others were released during the year, including Vu Giang Thao, Sung Seo Chinh, Ho A Tong, and Giang A To, who were freed from prison in April. The Government also stated that Vang Gia Chua and Sinh Pay Pao were released (see Section 1.e.).

Cao Daist Le Kim Bien was released in September in a prisoner amnesty. Bien's Cao Daist colleague Pham Cong Hien was released in October after completing a 2-year sentence. The two had been imprisoned since October 1998, when they requested to meet with visiting U.N. Special Rapporteur Amor.

The December 1999 conviction of Nguyen Thi Thuy, a Protestant house church leader in Phu Tho province sentenced to 1 year in prison for "interfering with an officer doing his duty," was upheld on appeal despite claims by her defense lawyer that she was arrested for her religious activities. She was released in the September national day amnesty, 1 month prior to the scheduled end of her sentence.

Reports from believers indicated that Protestant church attendance grew substantially, especially among the house churches, despite continued government restrictions on proselytizing activities. The Government restricts Protestant congregations from cooperating on joint religious observances or other activities, although in some localities there was greater freedom to do so. Membership in house churches reportedly continued to grow.

The Government conferred legal recognition on Cao Daism in 1997 after a government-controlled committee wrote a new Cao Dai constitution and elected a new Cao Dai Executive Council. The government-approved Executive Council controls the affairs and manages the operations, the hierarchy, and clergy of the Cao Dai faith. However, numerous Cao Dai believers and clergy actively have challenged the edicts of the Executive Council, stating that they are not faithful to Cao Dai principles and tradition. Early in the year, the Executive Council and clergy came to an agreement on the modification of traditional rites that are performed during rituals for clerical promotion that had been banned by the Government. The compromise changed a part of the rite that the Government had deemed to be "superstitious," but maintained enough "spiritual direction" in the rite to be acceptable to Cao Dai principles. Many Cao Dai followers and clergy initially objected to the tradition, but later accepted it. The agreement resulted in the promotion of several hundred clerics, the first promotions

Vietnam Page 11 of 20

in more than 25 years. However, the Government has prohibited ordination into the Cao Dai priesthood since 1975, and continued to do so throughout the year. Three Cao Daists, Lam Thai The, Do Hoang Giam, and Van Hoa Vui, who were arrested several years ago, remain imprisoned in Xuan Loc prison in Dong Nai province.

Hoa Hao followers are concentrated in the Mekong Delta, particularly in provinces such as An Giang, where the Hoa Hao were dominant as a political and religious force before 1975. The Hoa Hao faced restrictions on their religious and political activities after 1975 because of their previous armed opposition to the Communist forces. After 1975 all administrative offices, places of worship, and social and cultural institutions connected to the faith were closed, thereby limiting public religious functions. However, believers continue to practice their religion at home. The lack of access to public gathering places contributed to the Hoa Hao community's isolation and fragmentation. In 1999 following official recognition of a Hoa Hao religious organization, up to 500,000 Hoa Hao believers gathered for a religious festival in An Giang province in the largest Hoa Hao gathering since 1975. The second of these traditional annual gatherings drew approximately 300,000 persons in June. The authorities continued to restrict the distribution of the sacred scriptures of the Hoa Hao, and believers say that a number of church leaders continue to be detained. Hoa Hao leader Me Minh Triet, who was arrested several years ago, remained in prison at year's end.

In March police in An Giang arrested eight Hoa Hao believers for planning to organize a commemoration of the death anniversary of the group's founder. Police also placed Hoa Hao elder Ha Hai under house arrest in An Giang province and blocked roads and waterways to prevent large numbers of persons from gathering at the founder's ancestral home and pagoda for the anniversary. This anniversary had not yet been approved as an official anniversary or commemoration day by the Government or the Hoa Hao Council. Many Hoa Hao believers consider this to be an important date, and because of this and other disputes have refused to recognize the Hoa Hao Council. Of the eight persons arrested, three subsequently were released. The remaining five were tried in September and received prison terms of from 1 to 3 years. One of the three who were released, Vo Van Buu, also known as Nguyen Van Buu, was arrested again in June together with his wife, Mai Thi Dung. In September Buu was tried and sentence to 30 months in prison. Dung was tried and sentenced to 18 months' house arrest. Later in the September, Dung slashed her stomach in protest. She was hospitalized, then released the following day.

A total of 13 other Hoa Hao followers were arrested in March in a separate incident unrelated to the founder's death anniversary. Eight of these persons subsequently were released. Three were tried in May and the other two were tried in June. All were convicted and received sentences of from 12 to 30 months' imprisonment.

In May police in An Giang province also arrested Hoa Hao followers Le Huu Hoa. He remained in prison at year's end.

In November five Hoa Haoists who reside in An Giang province were detained In Ho Chi Minh City for planning a demonstration there. Two of them, Ha Hai and Mai Thi Dung officially were under house arrest in An Giang province at the time. Three of the detainees subsequently were returned to An Giang province and released. Mai Thi Dung again was placed under house arrest in An Giang province. Ha Hai was returned to prison in An Giang province and awaited trial at year's end.

In December Le Quang Liem, a Hoa Hao elder who resides in Ho Chi Minh City, organized a group of from 400 to 500 persons to march in procession to the Hoa Hao founder's ancestral home and pagoda in commemoration of the founder's birth anniversary. When police blocked the procession, a fight ensued and a number of Liem's group were injured. The police made no arrests.

The Muslim Association of Vietnam was banned in 1975 but authorized again in 1992. It is the only official Muslim organization. Association leaders say that they are able to practice their faith, including daily prayer, fasting during the month of Ramadan, and the pilgrimage to Mecca, Saudi Arabia. The Government no longer has a policy of restricting exit permits to prevent Muslims from making the hajj. Small numbers have been able to participate in the hajj each year.

The Government does not favor a particular religion. In some respects, conditions for religious freedom improved over 1999. In many areas, religious activity and observance increased; however, at the same time, government restrictions remained. Worshipers in several Buddhist, Catholic, and Cao Dai centers of worship reported that they believed that undercover government observers attended worship services and monitored the activities of the congregation and the clergy. Protestant and Hoa Hao services occasionally were disrupted by local police.

Operational and organizational restrictions on the hierarchies and clergy of most religious groups remain in place. While there were releases of some religious prisoners, detention and imprisonment of other persons for

Vietnam Page 12 of 20

the illegal practice of their religion continued.

In April 1999, the Government issued a new decree on religion that prescribes the rights and responsibilities of religious believers. Similar to the Government's 1991 decree on religion, the decree also states for the first time that no religious organization can reclaim lands or properties taken over by the State following the end of the 1954 war against French rule and the 1975 Communist victory in the south. The decree also states that persons formerly detained or imprisoned must obtain special permission from the authorities before they may resume religious activities.

There were credible reports in both 1999 and 2000 that Hmong Protestant Christians in several northwestern villages were forced to recant their faith. The Penal Code, as amended in 1997, established penalties for offenses that are defined only vaguely, including "attempting to undermine national unity" by promoting "division between religious believers and nonbelievers." In some cases, particularly involving Hmong Protestants, when authorities charge persons with practicing religion illegally, they do so using provisions of the Penal Code that allow for jail terms up to 3 years for "abusing freedom of speech, press, or religion." There were reports that officials fabricated evidence, and some of the provisions of the law used to convict religious prisoners contradict international covenants such as the Universal Declaration of Human Rights.

The Government bans and actively discourages participation in "illegal" religious groups, including the UBCV, Protestant house churches, and an unapproved Hoa Hao group. The Government restricts the number of clergy that the Buddhist, Catholic, Protestant, and Cao Dai churches may train. Restrictions are placed on the numbers of Buddhist monks and Catholic seminarians. Protestants are not allowed to operate a seminary or to ordain new clergy.

Police authorities routinely question persons who hold dissident religious or political views, such as UBCV monks and Hoa Hao leaders.

The Government restricts and monitors all forms of public assembly, including assembly for religious activities. On some occasions, large religious gatherings have been allowed, such as the annual celebrations at La Vang. Within the past 2 years, the Hoa Hao also have been allowed to hold large public gatherings.

Religious and organizational activities by UBCV monks are illegal, and all UBCV activities outside private temple worship are proscribed. In February a group of Hoa Hao believers led by Le Quang Liem established an association separate from the government-sanctioned Hoa Hao Committee. Their petitions to the Government for official recognition were unsuccessful. Protestant groups in central and southern provinces also petitioned for official recognition, but met with a favorable response from the Government. Serious discussions were underway at year's end regarding the drafting of a new charter that could lead to future official recognition.

Most evangelical house churches do not attempt to register because they believe that their applications would be denied, and they want to avoid government control.

The Government generally does not permit religious instruction in public schools. However, in some provinces, religious instruction is allowed outside regular classroom hours. Khmer Buddhists and Cham Muslims routinely hold religious (and language) instruction after regular school hours.

The Government restricts persons who belong to dissident and unofficial religious groups from speaking about their beliefs. It officially requires all religious publishing to be done by government-approved publishing houses. Many Buddhist sacred scriptures, Bibles, and other religious texts and publications are printed by government-sanctioned organizations and allowed to be distributed to believers. The Government allows and in some cases encourages links with coreligionists in other countries when the religious groups are approved by the Government. The Government actively discourages contacts between the illegal UBCV and its foreign Buddhist supporters, and between illegal Protestants, such as the house churches, and their foreign supporters. Contacts between the Vatican and the domestic Catholic Church are permitted, and the Government maintains a regular, active dialog with the Vatican on a range of issues, including organizational activities, the prospect of establishing diplomatic relations, and a possible papal visit. The Government allows religious travel for some, but not all, religious persons; Muslims are able to undertake the hajj, and many Buddhist and Catholic Church officials also have been able to travel abroad. Persons who hold dissident religious opinions generally are not approved for foreign travel.

The Government does not designate persons' religions on passports, although citizens' "family books," which are household identification books, list religious and ethnic affiliation.

Vietnam Page 13 of 20

The law prohibits foreign missionaries from operating in the country. Proselytizing by citizens is restricted to regularly scheduled religious services in recognized places of worship. Immigrants and noncitizens must comply with the law when practicing their religions. Catholic and Protestant foreigners exercise leadership in worship services that are reserved for foreigners.

The Government's Office on Religious Affairs hosts periodic meetings to address religious issues according to government-approved agendas that bring together leaders of diverse religious traditions.

Adherence to a religious faith generally does not disadvantage persons in civil, economic, and secular life, although it likely would prevent advancement to the highest government and military ranks. Avowed religious practice bars membership in the Communist Party, although anecdotal reports indicate that a handful of the 2 million Communist Party members are religious believers.

The Government remained sensitive about international and nongovernmental organization investigations. In October 1998, U.N. Special Rapporteur on Religious Intolerance Amor visited Hanoi, Ho Chi Minh City, Hue, and Tay Ninh province. He met with government officials and representatives of the government-sanctioned Central Buddhist Church, the Catholic Church, Cao Dai, a Protestant church, and the small Muslim community. However, security officials prevented Amor from meeting several senior representatives of the non-government-sanctioned UBCV, including Thich Huyen Quang and Thich Quang Do, despite his repeated requests to do so.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government imposes some limits on freedom of movement. Most citizens enjoyed freedom of movement within the country; however, some local authorities required members of ethnic minority groups to obtain permission to travel outside certain highland areas. Officially, citizens had to obtain permission to change their residence (see Section 1.f.). In practice many persons continued to move without approval, especially migrant or itinerant laborers moving from rural areas to cities in search of work. However, moving without permission restricted their ability to obtain legal residence permits. Holders of foreign passports must register to stay in private homes. In practice visitors of Vietnamese origin from overseas do not appear to have problems with this requirement and are allowed to stay with family and friends. Other foreigners complain that they are not allowed to do so.

The Government employs internal isolation to restrict the movement of political and religious dissidents (see Section 1.d.). The Government continued to use its l997 decree on administrative detention to restrict where citizens live and work (see Section 1.f.).

Foreigners generally are free to travel throughout the country, except in some areas restricted on grounds of national security. The Government retained the right to approve travel to border areas, to some areas in the central highlands, and to some islands, but in practice foreigners can travel to most border areas without prior approval. However, on several occasions, local police detained and fined foreigners whom police found had ventured too close to international borders and other sensitive military areas.

Although the Government no longer required citizens traveling abroad to obtain exit or reentry visas, the Government sometimes prevents persons from traveling by refusing to issue passports to persons who wished to travel. Persons who depart the country using passports marked dinh cu or "resettlement" appear to need a reentry permit to return.

Some persons who publicly or privately have expressed dissident opinions on religious or political issues are not allowed to travel abroad (see Section 2.c.).

Citizens must demonstrate eligibility to emigrate to another country and show sponsorship abroad before the Government issues passports for emigration. Persons who emigrate under refugee status are required to have a letter of introduction from the Ministry of Public Security in order to obtain a passport. Citizens' access to passports sometimes was constrained by factors outside the law, such as bribery and corruption. Refugee and immigrant visa applicants sometimes encountered local officials who arbitrarily delayed or denied passports based on personal animosities or on the officials' perception that an applicant did not meet program criteria, or in order to extort a bribe.

Because citizens who live overseas are considered a valuable potential source of foreign exchange and expertise for the country but also a potential security threat, the Government generally encourages them to visit but monitors many of them carefully.

Vietnam Page 14 of 20

The United States continued to process immigrants and refugee applicants for admission and resettlement, including Amerasians, former reeducation camp detainees, and family reunification cases. There are some concerns that some members of minority ethnic groups, particularly nonethnic Vietnamese such as the Montagnards, may not have ready access to these programs. The Government denied passports for emigration to certain Montagnard applicants.

The Government generally permits citizens who emigrate to return to visit, but it considers them Vietnamese citizens and therefore subject to the obligations of a Vietnamese citizen under the law, even if they have adopted another country's citizenship. The Government no longer requires reentry visas for citizens holding regular passports but who reside in another country. Holders of Vietnamese passports marked dinh cu or "resettlement" appear to need a reentry visa. However, emigrants are not permitted to use Vietnamese passports after they adopt other citizenship.

Vietnam and the United States continued to work together on the Resettlement Opportunity for Vietnamese Returnees Program (ROVR) in processing the residual ROVR persons who had returned from refugee camps elsewhere in southeast Asia. This program is nearing completion.

The Constitution allows consideration of asylum under certain circumstances for foreigners persecuted abroad. Otherwise, the country does not have provisions for the granting of asylum or refugee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its l967 Protocol. The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. Party control over the selection of candidates in elections for the National Assembly, the presidency, the prime ministership, and local government undermines this right. All authority and political power is vested in the CPV; political opposition movements and other political parties are not tolerated. The CPV central committee is the supreme decisionmaking body in the nation, with the Politburo as the locus of policymaking. A standing board, consisting of the five most senior members of the Politburo, oversees day-to-day implementation of leadership directives. Senior advisors to the Party, including the former party general secretary, President, and Prime Minister, also continue to exert significant influence on Politburo decisionmaking. The Government limited public debate and criticism to certain aspects of individual, state, or party performance determined by the CPV itself. No public challenge to the legitimacy of the one-party State is permitted; however, there were isolated instances of unsanctioned letters from private citizens critical of the Government that circulated publicly (see Section 2.a.).

Eligible citizens are required to vote in elections, although there is no penalty for not voting. Citizens elect the members of the National Assembly, ostensibly the main legislative body, but the Party must approve all candidates, most of whom are Party members. Most National Assembly members belong to the CPV; 15 percent do not. Three members of the assembly are self-nominated independents, not nominated by the party-controlled Vietnam Fatherland Front, even though it approved their candidacies.

The National Assembly, although subject to the control of the Party (all of its senior leaders are party members), played an increasingly independent role, as a forum for the expression of local and provincial concerns and as a critic of corruption and inefficiency. However, the National Assembly generally does not initiate legislation and may not pass legislation that the Party opposes. Party officials occupied most senior government and National Assembly positions and continued to have the final say on key issues. During the year, the National Assembly continued to engage in vigorous debate on economic, legal, and social issues, including a business enterprise law and a press law. Legislators questioned and criticized ministers in sessions broadcast live on television.

The law provides the opportunity for equal participation in politics by women and minority groups; however, in practice they are underrepresented. Most of the top leaders are men. There is one woman in the Politburo. Women are better represented in the National Assembly, where more than one-fourth of the 450 members are women. Women hold some important positions. The Vice President is a woman, as are several ministers and vice ministers.

The President of the National Assembly, who is also a Politburo standing committee member, is a member of an ethnic minority.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged

Vietnam Page 15 of 20

Violations of Human Rights

The Government does not permit private, local human rights organizations to form or operate. It generally prohibits private citizens from contacting international human rights organizations, although some dissidents were able to do so despite opposition from the Government. The Government permitted the UNHCR and international visitors to monitor implementation of its repatriation commitments under the Comprehensive Plan of Action (CPA) and carried on a limited dialog with foreign human rights organizations based outside the country.

The Government generally was willing to discuss human rights problems bilaterally with some other governments if such discussions take place under the rubric of "exchanges of ideas" rather than as "investigations." Several foreign governments held official talks during the year concerning human rights.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on gender, ethnicity, religion, or social class; however, enforcement of these prohibitions was uneven. Persons formerly interned in reeducation camps on the basis of pre-l975 association with the government of the former Republic of Vietnam continued to report varying levels of discrimination as they and their families sought access to housing, education, and employment. Some military veterans of the former Republic of Vietnam still face economic hardship as a result of employment restrictions and discrimination, but none are known to be incarcerated for their activities after 1975. These veterans and their families generally are unable to obtain employment with the Government. This prohibition is less restrictive than in past years because of the growth in private sector job opportunities.

Women

International NGO workers and many women reported that domestic violence against women was common. The law addresses the problem of domestic violence, and officials increasingly acknowledge the problem; however, authorities do not enforce the law effectively. Many divorces reportedly are due to domestic violence, but many women likely remain in abusive marriages rather than confront the stigma and economic uncertainty of divorce.

Prostitution, although officially illegal, appears to be tolerated widely. Some women are forced to work as prostitutes. The Ho Chi Minh City people's committee recently has acknowledged that more than 10,000 women in the city engaged in prostitution. Hanoi, the port cities of Danang and Haiphong, and smaller cities such as Can Tho and Nha Trang also have large numbers of women engaged in prostitution. There are reports that some exploiters in Ho Chi Minh City addicted young girls to heroin and forced them to work as prostitutes to earn money for drugs. Many more women are compelled to work as prostitutes because of poverty, a lack of other employment opportunities, or because they are victimized by false promises of lucrative work (see Section 6.f.). The Vietnam Women's Union and Youth Union, as well as international and domestic NGO's, are engaged actively in education and rehabilitation programs to combat these abuses.

Trafficking in women for the purpose of forced prostitution, both domestically and internationally, is a serious problem (see Section 6.f.). Women and girls are trafficked from southern delta and highland provinces to Cambodia, and from northern provinces into China. There are reports that some women from Ho Chi Minh City and the Mekong Delta who married men from Taiwan were forced into prostitution after their arrival in Taiwan. Women and girls frequently are misled by promises of well-paying jobs in those places.

While there is no legal discrimination, women face deeply ingrained societal discrimination. Despite extensive provisions in the Constitution, in legislation, and in regulations that mandate equal treatment, and although some women occupy high government posts, few women compete effectively for higher status positions. The Government has ratified ILO conventions on Equal Remuneration and Discrimination in Employment. The Constitution provides that women and men must receive equal pay for equal work; however, the Government does not enforce this provision. Very poor women, especially in rural areas but also in cities, perform menial work in construction, waste removal, and other jobs for extremely low wages. Despite the large body of legislation and regulations devoted to the protection of women's rights in marriage as well as in the workplace, and Labor Law provisions that call for preferential treatment of women, women do not always receive equal treatment. Nevertheless, women play an important role in the economy and are widely engaged in business and in social and educational institutions. Opportunities for young professional women have increased markedly, with greater numbers entering the civil service, universities, and the private sector.

The party-controlled Women's Union has a broad agenda to promote women's rights, including political, economic, and legal equality, and protection from spousal abuse. The Women's Union operates micro-credit

Vietnam Page 16 of 20

consumer finance programs and other programs to promote the advancement of women. International NGO's and other international organizations regard the union as effective, but they and Women's Union representatives believe that much time is required to overcome societal attitudes that relegate women to lower status than men. The Government also has a committee for the advancement of women, which coordinates intraministerial programs that affect women.

Children

International organizations reported that despite the Government's promotion of child protection and welfare, children increasingly were at risk of economic exploitation. While education is compulsory through the age of 14, the authorities did not enforce the requirement, especially in rural areas where government and family budgets for education are strained. Thousands of children work in exploitative child labor (see Sections 6.c. and 6.d.). These practices occur almost exclusively in private, small-scale, or family enterprises. The Government continued a nationwide immunization campaign, and the government-controlled press regularly stressed the importance of health and education for all children. Reports from domestic sources indicate that responsible officials generally took these goals seriously but were constrained by severely limited budgets. According to the World Bank, despite growth in incomes over the past decade, severe malnutrition remains an entrenched problem; about 45 percent of children under 5 years of age suffer from stunted growth.

Widespread poverty contributed to continued child prostitution, especially of girls, but also some boys as well, in major cities. Many prostitutes in Ho Chi Minh City are girls between the ages of 15 and 17. One NGO advocate stated that some child prostitutes, such as those from abusive homes, are forced into prostitution for economic reasons, having few other choices available to them. There are reports that some exploiters in Ho Chi Minh City addicted young girls to heroin and forced them to work as prostitutes to earn money for drugs.

Some children are trafficked domestically, and others are trafficked to foreign destinations for the purpose of forced prostitution. Although statistics are not reliable, children are trafficked from southern delta and highland provinces to Cambodia, and from northern provinces into China. Government agencies were engaged in combating these abuses, and municipal and NGO groups organized publicity campaigns to warn of predatory child sex abusers in resort areas (see Section 6.f.). The Vietnam Women's Union and Youth Union are especially active in drawing attention to these problems and helping with education programs to warn vulnerable families of the dangers of deception by those who would lure young women and children into prostitution. Press reports documented the conviction and imprisonment of some traffickers (see Section 6.f.).

Street children are vulnerable to abuse and sometimes are slapped and harassed by police (see Section 1.c.).

People with Disabilities

Government provision of services to the disabled is limited, and the Government provides little official protection or effective support for the disabled. Government agencies responsible for services to the disabled worked with domestic and foreign groups to "identify measures" to provide protection, support, and physical access for the disabled. Implementation is hampered by limited budgets. The 1995 Labor Law requires the State to protect the rights and encourage the employment of the disabled. It includes provisions for preferential treatment of firms that recruit disabled persons for training or apprenticeship and a special levy on firms that do not employ disabled workers. It is uncertain whether the Government enforces these provisions. The Government permitted international groups to assist persons disabled by war or by subsequent accidents involving unexploded ordnance and has developed indigenous prosthetics-manufacturing capabilities. There are no laws mandating physical access to buildings.

National/Racial/Ethnic Minorities

Although the Government states that it is opposed to discrimination against ethnic minorities, societal discrimination against minorities is widespread. In addition there continued to be credible reports that local officials sometimes restricted ethnic minority access to some types of employment and educational opportunities. The Government continued to implement policies designed to narrow the gap in the standard of living between ethnic groups living in the highlands and richer lowland ethnic Vietnamese by granting preferential treatment to domestic and foreign companies that invest in highland areas. The stated goal of government resettlement policy in mountainous provinces is for disadvantaged minorities to relocate from inaccessible villages to locations where basic services are easier to provide; however, the effect of the policy sometimes has been to dilute the political and social solidarity of these groups. Moreover, large-scale government-sponsored as well as spontaneous migration of ethnic Vietnamese to the central highlands have diluted further the indigenous culture and traditional heritage of the minorities located there. The Government continued to repress some highland minorities, particularly the Hmong, for practicing their religion without official approval (see Section 2.c.).

Vietnam Page 17 of 20

In August about 150 members of the Ede ethnic minority attacked a village of ethnic majority Vietnamese (Kinh) who had migrated into the area where they lived; the Ede injured four ethnic Vietnamese and destroyed several homes. The attack underscored increased tensions that have resulted from the migration of ethnic Vietnamese to areas that traditionally were populated by ethnic minorities.

Section 6 Worker Rights

a. The Right of Association

Trade unions are controlled by the Party and have only nominal independence; however, union leaders influence some key decisions, such as on health, safety, and minimum wage standards. Workers are not free to join or form unions of their choosing; such action requires approval from the local office of the Party-controlled Vietnam General Confederation of Labor (VGCL), and any union that forms must affiliate with the VGCL. The VGCL is the umbrella organization under which all local trade unions must operate. It claims that it represents 95 percent of public sector workers and 90 percent of workers in state-owned enterprises. In 1999 the Government stated that trade unions had not fulfilled their role of protecting workers in foreign-invested companies, many of whom it claimed did not respect labor regulations. The VGCL asserted that authorities did not prosecute some violations of the Labor Law.

About 500,000 union members work in the private sector, including foreign-based enterprises. The vast majority of the work force live in rural areas, is engaged in small-scale farming, and is not unionized.

The 1994 Labor Law requires the federation of labor at the provincial level to establish unions within 6 months at all new enterprises with more than 10 employees as well as at existing enterprises that operate without trade unions. Management of those companies is required by law to accept and cooperate with those unions. In addition, while the Labor Law states that all enterprise level and professional trade unions are affiliated with the VGCL, in practice hundreds of unaffiliated "labor associations" have been organized in occupations such as those of taxi, motorcycle and cyclo drivers, cooks, and market porters. Foreign governments and international organizations, such as the ILO and other U.N. system organizations, provide technical assistance and training to the Ministry of Labor, Invalids, and Social Affairs (MOLISA) and the VGCL.

The Labor Law provides for the right to strike under certain circumstances. The law requires that management and labor resolve labor disputes through the enterprise's own labor conciliation council. However, many labor organizations failed to establish labor conciliation councils. In the case of the absence of a labor conciliation council or if one fails to resolve a labor dispute, it is referred to the provincial labor arbitration council. If the council's decision is unsatisfactory to the union or if the province does not have an arbitration council, unions have the right to appeal to the provincial people's labor arbitration council. However, such councils do not exist in some provinces. Labor courts, a division of the people's courts, heard approximately 500 cases between their inception in mid-1996 and mid-1999; most cited wrongful dismissal and matters of labor discipline. Since 1995 the Labor Ministry has organized hundreds of training courses on the Labor Law for its staff and for managers of large enterprises. The ILO and the U.N. Development Program are cooperating on a large multiyear technical assistance program to strengthen Labor Law implementation.

The government-controlled labor unions stipulate written procedures for managing labor disputes that permit unresolved disputes to be arbitrated before a court. Unions have the right to appeal a council decision to the provincial people's court and the right to strike.

There were 72 strikes during the year. Approximately 450 strikes have been reported since 1993, primarily against foreign-owned or joint venture companies, but some involved state-owned and private firms. The majority took place in Ho Chi Minh City, Dong Nai province, and other southern provinces. Most strikes are symbolic and last 1 or 2 days. Strikes are caused by disputes over wages and related problems, including late payment of overtime pay and inappropriate labor discipline. Although most of the strikes did not follow an authorized conciliation and arbitration process, and thus were of questionable legitimacy, the Government tolerated the strikes and did not take action against the strikers. Although the VGCL or its affiliate unions did not sanction these strikes officially, many were supported unofficially at the local and provincial levels of the VGCL. The Labor Law prohibits retribution against strikers, and there were no credible reports of such retribution. In some cases, the Government disciplined employers for illegal practices that led to strikes.

The Labor Law prohibits strikes at enterprises that serve the public and those considered by the Government to be important to the national economy and defense. A subsequent decree defined these enterprises to be those involved in: Electricity production; post and telecommunications; railway, maritime, and air transportation; banking; public works; and the oil and gas industry. The law also grants the Prime Minister the right to suspend a strike considered detrimental to the national economy or public safety. Strikes are prohibited in 54 occupational sectors and businesses.

Vietnam Page 18 of 20

Individual unions legally are not free to affiliate with, join, or participate in, international labor bodies, and they do not do so in practice. However, the VGCL has relations with 95 labor organizations in 70 countries, and the VGCL's president traveled internationally, including to Western industrial countries, on labor matters.

b. The Right to Organize and Bargain Collectively

Workers must have the approval of the provincial or metropolitan branch of the VGCL in order to organize unions in their enterprises. The Labor Law provides that party-approved unions have the right to bargain collectively on behalf of workers. It also provides for collective labor agreements that cover employees and employers. Since 1999 collective bargaining became more important. Many contracts were negotiated that ended the practice of annual renewal, and multiyear contracts have become more common despite initial resistance from foreign companies. Labor leaders became more active in supporting their workers by agreeing in 1999 to place more workplace issues in collective bargaining agreements. Issues previously not covered in contracts, such as work on Sundays, have been spelled out so that companies cannot order workers to work a seventh day. As the country transitions away from central planning, market forces play a much more important role in determining wages. The Labor Law prohibits antiunion discrimination on the part of employers against employees who seek to organize.

The growing number of export processing zones and industrial zones are governed by the same labor laws as the rest of the country.

c. Prohibition of Forced or Compulsory Labor

The Labor Law prohibits all forms of forced and bonded labor, including such labor by children; however, there were reports that thousands of children work in exploitative situations (see Section 6.d.). Some women are forced into prostitution, and trafficking in women for the purpose of forced prostitution is a problem (see Sections 5 and 6.f.). Children were trafficked both domestically and internationally and forced to work as prostitutes (see Sections 5 and 6.f.). A study of child labor in Ho Chi Minh City found cases in which poor families had entered into "verbal agreements" with employers, who put the families' children to work; their salaries generally are sent to their parents.

The Government denies the use of prison labor without compensation; however, prisoners routinely are required to work, producing food and other goods used in prisons for little or no pay. Officials state that juveniles in Education and Nourishment Centers, which function much as reform schools or juvenile detention centers do elsewhere, are assigned work for "educational purposes" that does not generate income.

Late in 1999, the Government issued an ordinance requiring all adult citizens between the ages of 18 and 45 for men and between 18 and 35 for women to perform 10 days of annual public labor. However, the ordinance permits citizens to excuse themselves from this obligation by finding a substitute or paying a fee. While some have alleged that such laborers were recruited to construct the Ho Chi Minh Highway, the Government issued a decree in October that gives the force of law to its existing policy that all labor on this project must be voluntary and paid. Foreign diplomats urged labor officials to consult with ILO experts as to whether the ordinance and its implementation constitute forced labor under internationally recognized standards. There is a long local tradition under which persons living along flood-prone levees voluntarily help to build or repair the ubiquitous and centuries-old flood control system.

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Law prohibits most child labor but allows exceptions for certain types of work. It sets the minimum age for employment at 18 years of age, but enterprises may hire children between the ages of 15 and 18 if the firm obtains special permission from their parents and the MOLISA. However, a widely-publicized MOLISA survey found that about 40,000 children between the ages of 8 and 14 years of age worked part-time or full-time in violation of the Labor Law. That estimate may be low, since most of these children worked in the informal sector. An employer must ensure that young workers do not undertake hazardous work or work that would harm their physical or mental development. Prohibited occupations are specified in the Labor Law. Children may work a maximum of 7 hours per day and 42 hours per week and must receive special health care. Restrictions on working in hazardous operations apply to persons under the age of 18. However, authorities do not have sufficient resources to enforce these regulations; international donor assistance targets this problem.

The Labor Law permits children to register at trade training centers, a form of vocational training, from the age of 13.

Vietnam Page 19 of 20

There were no reports that state-owned enterprises or companies with foreign investors used child labor.

In rural areas, children work primarily on family farms and in other agricultural activities. They can begin working as young as 6 years of age and are expected to work as adults by the time they are 15 years of age. In urban areas, children also may work in family-owned small businesses. Compulsory education laws are not enforced effectively in rural areas, where children are needed to work in agriculture. However, the culture's strong emphasis on education leads parents who can send children to school to do so, rather than allow them to work. Many urban schools operate two sessions, allowing children to attend classes and to work.

In 1997 the U.N. Children's Fund (UNICEF) announced that children below the age of 16 faced increased risk of economic exploitation. In 1997 UNICEF cited evidence of children working in gold mines and as domestic servants, or working up to 14 hours per day in hazardous conditions for meager pay or no pay. The ILO stated that some street children both in Ho Chi Minh City and Hanoi participate in night education courses.

Government officials have the power to fine and, in cases of Criminal Code violations, prosecute employers who violate child Labor Laws. While the Government commits insufficient resources to enforce laws providing for children's labor safety, especially for children working in mines and as domestic servants, it has detected cases of child exploitation, removed the children from the exploitative situations and disciplined the employers. In a 1999 case in which children were working in a private sector gold mine, the Government prosecuted and convicted those responsible.

In November The Government ratified ILO Convention 182 on Worst Forms of Child Labor.

The Labor Law prohibits force and bonded labor by children; however, thousands of children work in exploitative situations, and children were trafficked both domestically and internationally for the purpose of forced prostitution (see Section 6.f.).

e. Acceptable Conditions of Work

The Labor Law requires the Government to set a minimum wage, which is adjusted for inflation and other economic changes. The official monthly minimum wage for foreign-investment joint ventures is \$45 (637,650 dong) in Hanoi and Ho Chi Minh City, and \$40 (566,800 dong) elsewhere. The Government can exempt temporarily certain joint ventures from paying the minimum wage during the first months of an enterprise's operations, or if the enterprise is located in a very remote area, but the minimum wage in these cases can be no lower than \$30 (425,100 dong). State-owned enterprises consistently pay above the official monthly minimum wage of \$13 (180,000 dong). These minimum wages are inadequate to provide a worker and family with a decent standard of living. A decreasing number of workers receive government-subsidized housing. However, many workers receive bonuses and supplement incomes by engaging in second-job entrepreneurial activities, and households often include more than one wage earner. The Government enforces the minimum wage only at foreign and major Vietnamese firms. A recent ILO study found that minimum wage requirements are well applied in all sectors, with the exception of smaller private sector enterprises.

In October 1999, the Government reduced the length of the workweek for government employees and employees of companies in the state sector from 48 hours to 40 hours. The Government encourages the private business sector and foreign and international organizations that employ Vietnamese workers to reduce the number of hours in the work week but has not made mandatory.

The Labor Law sets working hours at a maximum of 8 hours per day, with a mandatory 24-hour break each week. Additional hours require overtime pay at 1.5 times the regular wage and 2 times the regular wage on holidays. The law limits compulsory overtime to 4 hours per week and 200 hours per year. Annual leave with full pay for various types of work also is prescribed by the law. The ILO has pointed out that the limit of 200 hours a year of overtime work is too low, and that workers and employers should have the right to agree to a greater amount of overtime work. It is uncertain how well the Government enforces these provisions.

According to the law, a female employee who is to be married, is pregnant, is on maternity leave, or is raising a child under 1 year of age cannot be dismissed unless the enterprise is closed. Female employees who are at least 7 months pregnant or are raising a child under 1 year of age cannot work overtime, at night, or in distant locations.

The Labor Law requires the Government to promulgate rules and regulations that ensure worker safety. The Ministry of Labor, in coordination with local people's committees and labor unions, is charged with enforcing the regulations. In practice enforcement is inadequate because of the Ministry's inadequate funding and a shortage of trained enforcement personnel. The VGCL reported that there are 300 labor inspectors in the

Vietnam Page 20 of 20

country but that at least 600 are needed. There is growing evidence that workers, through labor unions, have been effective in improving working conditions. In 1994 the Government ratified ILO Convention 155 on occupational safety and health.

Some foreign companies with operations in the country have established independent monitoring of problems at their factories. In some instances, they used NGO's and other nonprofit organizations to monitor workplace conditions and report abuses to the Ministry of Labor.

The Labor Code provides that workers may remove themselves from hazardous conditions without risking loss of employment.

f. Trafficking in Persons

The Penal Code prescribes harsh punishment for persons convicted of trafficking in women and children; however, some women are forced to work as prostitutes, and trafficking in women and children for the purpose of forced prostitution, both domestically and internationally, is a serious problem. The Government, international NGO's, and the press reported an increase in recent years in trafficking in women. Women and girls are trafficked from the Mekong Delta and highland provinces into Cambodia and from northern provinces into China. There are reports that some women from Ho Chi Minh City and the Mekong Delta who married men from Taiwan were forced into prostitution after their arrival in Taiwan. Women and girls are misled by promises of well-paying jobs in those places.

Prostitution, although officially illegal, is tolerated widely. The Ho Chi Minh City people's committee recently acknowledged that more than 10,000 women in the city engage in prostitution. Hanoi and the port cities of Danang and Haiphong also have large numbers of women engaged in prostitution. There are reports that some persons in Ho Chi Minh City addicted young girls to heroin, then forced them to work as prostitutes to earn money to support their drug addiction. Many more women are compelled to work as prostitutes because of poverty, a lack of other employment opportunities, or because they are victimized by false promises of lucrative work. The government-affiliated Vietnam Women's Union and Youth Union, as well as international and domestic NGO's, are engaged actively in education and rehabilitation programs to combat these abuses.

The Government is working with international NGO's to supplement law enforcement measures and is cooperating with other national governments to prevent trafficking. In September it signed an agreement with the government of Australia stating a mutual commitment to combat trafficking in women and children.

Organized groups, including duplicitous job recruiters, lure poor, often rural, women with promises of jobs or marriage and force them to work as prostitutes (see Sections 5 and 6.c.). Press and NGO reports noted that some women were kidnaped and transported to China and other countries against their will, where they were sold into forced marriages. The Government and the Vietnam Women's Union addressed this problem by a program of public information to warn women and girls of these dangers and by repatriation programs to help female returnees. The Government also increased its efforts to prosecute traffickers.

There is reported trafficking in women to the Macau Special Administrative Region of China with the assistance of organizations in China that are ostensibly marriage service bureaus, international labor organizations, and travel agencies. After arrival women can be forced into conditions similar to indentured servitude; some may be forced into prostitution.

Children also are trafficked domestically and overseas to work as prostitutes. MOLISA, the Vietnamese Committee for the Protection and Care of Children, and the Vietnam Women's Union were engaged in efforts to combat this abuse. One NGO advocate has estimated that the average age of trafficked girls was between 15 and 17 years; many were trafficked to Cambodia and China.

Some traffickers have been convicted and imprisoned. The Vietnam Women's Union and Youth Union's programs, as well as state-owned media, publicized the problem. Women's Union advocacy and rehabilitation efforts help women and girls who have been trafficked.

[End.]